

LIQUOR ADVISORY BOARD
Wednesday, January 18, 2012
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members:

Alicia Neubauer
Dennis Olson
Dan Roszkowski
Julio Salgado
Scott Sanders
Craig Sockwell

Absent:

Aaron Magdziarz

Staff:

Jennifer Cacciapaglia – City Attorney
Todd Cagnoni, Deputy Director - Construction Services Division
Mark Marinaro – Fire Department
Marcy Leach – Public Works
Sandra Hawthorne - Administrative Assistant

Others:

Kathy Berg, Stenographer
Applicants and Interested Parties

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Liquor Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, January 30, 2012, at 4:45 PM in Conference Room A of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting are listed on the agenda as well.

The meeting was called to order at 6:00 PM. A **MOTION** was made by Scott Sanders to **APPROVE** the minutes of the December meeting as submitted. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0 with Dan Roszkowski abstaining and Aaron Magdziarz absent.

011-LAB-015

1201 Broadway

Applicant
Ward 11

Rockford Banquet Hall, Inc. – Than Xayvandy
The sale of liquor by the drink in conjunction with a restaurant, bar, and banquet hall (venue) in a C-4, Urban Mixed-Use Zoning District.

Prior to this meeting, the item was Withdrawn by the Applicant. No further action will be taken on this application.

011-LAB-033

1116-1118 South Main Street

Applicant
Ward 5

Guadalajara de Noche – Juan Angel Ramos
The sale of alcohol by the drink and packaged liquor sales in conjunction with a nightclub in a C-2, Limited Commercial Zoning District.

This item will be Laid Over to the February LAB meeting.

A **MOTION** was made by Alicia Neubauer to **LAY OVER** the request for the sale of alcohol by the drink and packaged liquor sales in conjunction with a nightclub in the name of Juan Angel Ramos d/b/a Guadalajara de Noche a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. The Motion was **SECONDED** by Dennis Olson and **CARRIED** by a vote of 6-0.

011-LAB-037

3000 and 3002 Kishwaukee Street

Applicant
Ward 6

AAA Forest Food & Liquor Inc, - Kassem Nasser
The sale of package liquor in conjunction with a grocery store in a C-3, Commercial General Zoning District.

The subject property is located on the southeast corner of the Kishwaukee Street and Brooke Road intersection and is currently a grocery store and parking lot. John Mraibie Attorney for the applicant, reviewed the request. Kassem Nasser Kassem Ahmed and Housam Saeed Mousa Kassem, Applicants, were also present. The Applicant's intent is to operate a grocery store with liquor and tobacco sales. Attorney Mraibie stated the interior layout will remain the same as existing. Hours were given as Monday – Thursday 7:00 AM to Midnight; Friday – Saturday 7:00 AM to 1:00 AM. Sunday 7:00 AM to 11:00 PM. Mr. Sanders pointed out that condition #4 stated hours of operation on Friday – Saturday would be from 7:00 AM – 12:00 Midnight. Attorney Mraibie stated the Applicants are agreeable to these hours as conditioned by Staff.

Staff Recommendation is for Approval with (10) conditions. No Objectors and Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the sale of package liquor in conjunction with a grocery store in the name of Kassem Nasser d/b/a AAA Forest Food & Liquor Inc. in a C-3, Commercial General Zoning District at 3000 and 3002 Kishwaukee Street. The Motion was **SECONDED** by Julio Salgado and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 7:00 A.M. to Midnight Monday through Thursday.
4. The hours of operation will be limited to 7:00 A.M. to Midnight Friday through Saturday.
5. The hours of operation will be limited to 7:00 A.M. to 11:00 P.M. Sunday.
6. Staff feels that the gross interior floor square footage for alcoholic sales display area should not exceed 10% (ten percent).
7. The amount of alcoholic sales can be no more than 35% of gross annual sales of the business.
8. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.
9. Window display signage is limited to 30% of window area.
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

011-LAB-038

Applicant
Ward 10

1355 South Alpine Road

ABC Catering – Larry Metzger

The sale of liquor in conjunction with a full catering service business including off-premise sales in a C-3, Commercial General District.

The subject property is located 80 feet south of the South Alpine Road and Center Terrace intersection. Robert J. Metzger, General Manager of ABC Catering, reviewed the request. Mr. Metzger is also the brother of the Applicant, who was out of town and unable to attend the meeting. The Applicant wishes to conduct an off-site, full-service catering business with liquor sales as part of the service. Mr. Metzger stated due to the nature of their catering business such as weddings and large events, they would like to have the sale of liquor as part of their catering package. Attorney Cacciapaglia asked that Mr. Metzger verify there will be no sale of liquor at the 1355 South Alpine Road site. He stated there will not.

Staff Recommendation was for Approval with (1) condition. No Objectors were present. One Interested Party was present.

Brian Selander, representing Heartland Community Church adjacent property owner located across the street from the Applicant's property spoke as an interested party. He wished to emphasize that there be no liquor sales at the 1355 South Alpine property. In response, Mr. Metzger stated they have no intention of doing so, and point out that it is part of the condition of approval that no liquor sales occur at the site.

A **MOTION** was made by Dennis Olson to **APPROVE** the sale of liquor in conjunction with a full catering service business including off-premise sales in the name of Larry Metzger d/b/a ABC Catering in a C-3, Commercial General District. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following condition:

1. There shall be no liquor sales at 1355 South Alpine Road.

With no further business to come before the Commission, the meeting was adjourned at 6:23 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor Advisory Board